

HB 1185 -- CAFFEINATED MALT BEVERAGES

SPONSOR: Berry

This bill prohibits a caffeinated malt beverage from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state. A "caffeinated malt beverage" is defined as a beverage containing caffeine or other stimulants; has at least .5% alcohol by volume; and is produced by a brewer or is treated by processing, filtration, or another method of manufacture that is not generally recognized as a specified traditional process in the production of a beer and for which the producer is required to file a formula for approval with the United States Alcohol and Tobacco Trade and Tax Bureau or is not exempt under specified regulations. The Division of Alcohol and Tobacco Control within the Department of Public Safety must administer and enforce these provisions and promulgate the necessary regulations to ensure effective administration and enforcement. Any person or business entity that violates these provisions will be guilty of an infraction and subject to administrative assessment of civil penalties. These provisions do not prohibit a city or county from enacting a regulation that is more restrictive. No city or county may permit the sale of these beverages.

The bill will become effective January 1, 2015.